

REMARKS

The indication of allowability of the subject matter of Claims 10, 22, and 23 is noted. These claims have not been rewritten to be in independent form at this time since the claims from which they depend are also allowable over the prior art.

Note that claim 1 was amended slightly as to form without including any scope changes to the claims.

The rejection of Claims 1-9, 11-21, and 24-26 under 35 U.S.C. § 103 as being unpatentable over Schwarzler ('793) in view of Hyde et al. ('397) is hereby traversed and reconsideration thereof is respectfully requested.

Schwarzler '793, is commonly owned by the assignee of the present application and is the prior art referred to in the Background and Summary of the Invention section of the present application and the state of the art upon which the invention is directed toward improving. The invention as claimed in Claim 1 includes the following novel features for improving the system of the Schwarzler '793 arrangement:

“a controller responsive to a signal indicative of a distance between a local ground surface and the load to control unlatching of the latching mechanism.”

As recognized in the Office Action, Schwarzler '793 includes no such feature.

With respect to Claim 24, the system includes:

“an unlatching apparatus for unlatching the transmission unit as well as an altitude sensor for measuring the momentary flight altitude of the load and a comparison apparatus for comparing the altitudes measure with a target altitude are provided so that the comparison apparatus can activate the unlatching apparatus upon reaching the target altitude.”

With respect to Claim 25, the system includes:

“an unlatching apparatus for unlatching the transmission unit as well as an altitude sensor for measuring the momentary flight altitude of the load and a comparison apparatus for comparing the altitudes measured with a target altitude are provided so that the comparison apparatus can activate the unlatching apparatus upon reaching the target altitude.”

With respect to Claim 26, the system includes:

“a controller responsive to a signal indicative of a distance between a local ground surface and the load to control unlatching of the latching mechanism.”

As recognized in the Office Action, Schwarzler ‘793 is silent on the use of a laser altimeter to know the distance between the ground and the paraglider. Further, since Schwarzler ‘793 is silent as to the use of any altimeter to know the distance between the ground and the paraglider, Schwarzler ‘793 also includes no suggestions or teachings regarding a controller or control unit to utilize the information regarding the altitude to control the road bearing paraglider system as recited in each of the above-mentioned claims of the present application.

Hyde et al. (U.S. Patent 5,557,397), describes an aircraft-based topographical data collection and processing system and does teach that laser altimeters are well known in the art, as suggested in the Office Action.

However, Applicant disagrees that one skilled in the art when viewing the Schwarzler '793 Patent and the Hyde et al. '397 Patent would be given any motivation or teaching to have used the laser altimeter in Schwarzler '793 system to know when to fly the paraglider for a safe landing. In this connection, note that the claims call for more than the mere attachment of an altimeter of an altimeter to a paraglider system, rather the claims require control of the operation of the paraglider system as a function of signals generated by the altimeter as to the distance between paraglider and load from the local ground surface at any given time.

Since the Schwarzler '793 and Hyde '397 Patents fail to provide motivation or teaching to combine and yet further modify the structures thereof as would be required to meet the terms of each of the independent claims in the present application, these rejections should be reconsidered and withdrawn.

In view of the foregoing amendments and remarks, reconsideration and favorable action on all of the claims is in order and respectfully requested.

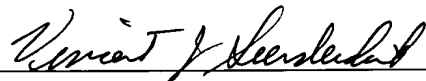
If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

Serial No. 10/655,544
Reply to Office Action
dated August 11, 2004

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #056226.52694US).

Respectfully submitted,

January 11, 2005


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